THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.8689 OF 2007

Dt: 24.04.2007

Between:

Sheik Fakir Ahmed.

… Petitioner

and

Government of A.P., and others

… Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.8689 OF 2007

ORDER:

Jamia Mosque at Jaggaiahpet (hereinafter called 'the Wakf Board') constructed a shopping complex with the financial aid of the Government. In the matter of allotment of the shops by way of lease, several complications arose; writ petitions came to be filed. Ultimately, an auction notice was issued on 22.01.2007, proposing to conduct the auction on 03.02.2007. The auction could not take place either on 03.02.2007, or on the postponed date, namely, 15.02.2007. W.P.No.4273 of 2007 was filed by one of the participants.

The A.P. Wakf Board issued auction notice, proposing to conduct auction on 19.04.2007, in the Haj House, Public Garden, Nampally, Hyderabad, for allotment of shops in the complex at Jaggaiahpet. Pamphlets were also distributed. The grievance of the petitioner is that himself and other participants did not have adequate notice and the auction conducted by the Wakf Board is vitiated.

Heard the learned counsel for the petitioner and learned Standing Counsel for the respondents.

As observed earlier, the auction for allotment of leasehold rights could not be held for the last several months. Having regard to the problems that are arising, in the matter of conducting auction, the Wakf Board has chosen to conduct the auction at its head office. It is stated that nearly 100 applications were submitted and the successful bidders were allotted the shops. The record does not disclose that the petitioner made any effort to participate in the auction. When several individuals did not feel the difficulty in participating the auction, this Court is not inclined to grant any relief to the petitioner.

The Writ Petition is accordingly dismissed. It is, however, directed that, in case any shops are left un-allotted, the respondents shall give wide publicity of not less than one week from the date of action and in such an event, it shall be open to the petitioner to participate in the auction. There shall be no order as to costs.

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L.NARASIMHA REDDY,J

Dt.24.04.2007
GJ